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09/653,908	09/01/2000	Sam Khavari	P3938	6546

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EXAMINER
BLACKWELL, JAMES H

ART UNIT	PAPER NUMBER
2176	4

DATE MAILED: 12/19/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/653,908	KHAVARI ET AL.	
	Examiner	Art Unit	
	James H Blackwell	2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *01 September 2000*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-21* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *01 September 2000* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-2 and 13 are rejected under 35 U.S.C. 102(e) as being anticipated by Rust (U.S. Patent No. 6,535,909).

In regard to independent Claim 1, Rust teaches a control site computer to record the audio and visual components of a collaborative web browsing session and archive that data as a session that is available for playback at a later time (Col. 3, lines 16-19, Abstract, Fig. 3; compare to Claim 1, ***"... a session recording module for recording parameters associated with a manual navigation sequence"***). Rust also teaches a file creation mechanism whose end product is the merging of audio and visual content

for replay (see Fig. 3; compare to Claim 1; ***"... a file creation module for converting data of a manual session into data comprising an executable sequence of instructions for conducting an automatic navigation sequence"***). Rust further teaches a downloadable applet that requests the playback file from the server and plays it (see Fig. 5; compare to Claim 1, ***"... and an application-program-interface module for integrating a functional capability with the automated navigation sequence, characterized in that a completely automated, browser-navigation sequence performed by the browser application is enabled through execution of the executable instruction sequence created from the recorded parameters of the manual navigation sequence"***).

In regard to dependent Claim 2, Rust teaches a collaborative web browsing session consisting of a control server (140), a presenter client (110), a playback client (150), a co-presenter client (160), and an attendee client (120). The clients communicate with the server via the World Wide Web (130) (see Fig 1A). Rust also teaches that the World Wide Web is an Internet service (Col. 1, lines 25-30). It is well known in the art that the Internet is one form of a data-packet-network. Compare to Claim 2, ***"... wherein the automated browser-navigation sequence is executed to run on a data-packet-network"***.

In regard to independent Claim 13, Rust teaches a collaborative web browsing session taking place over a network allowing a Presenter on a first computer to direct the audio and visual components of a browser on one or more second computers. The second computer is instructed to log into a control site that downloads an active control,

such as an applet, to the second computer. A collaborative web browsing session, as created by the Presenter and witnessed by one or more users on second computers, be recorded and archived by the control site (see Abstract). Rust also teaches notifying the control computer to stop recording the session and merging the audio and visual data together on the control computer. The data are then merged together creating a playback file (Col. 3, lines 25-30; compare to Claim 13, ***"... (a) invoking a browser application and connecting to the network; (b) invoking and activating a session-recording module for recording a manual navigation sequence; (c) performing a desired manual navigation sequence, the sequence recorded by the recording function; (d) activating a stop-record function to define the end of the manual sequence; and (e) converting the recorded manual sequence into executable instruction enabling the automated sequence, the conversion performed by software"***).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 3-4, and 14-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rust in view of Kishinsky et al. (hereinafter Kishinsky, U.S. Patent No. 6,286,033).

In regard to dependent Claim 3 (and similarly to dependent Claim 14), Rust fails to teach a data-packet-network being the Internet. However, Kishinsky teaches a Network (9) comprises a Data-Packet-Network (DPN) which is the Internet (Col. 5, lines 38-40; compare to Claim 3 (and similarly to Claim 14), ***"... wherein the data-packet-network is the Internet network"***). It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Rust and Kishinsky providing the benefit of using the Internet to transmit computer integrated telephony.

In regard to dependent Claim 4, Rust teaches a Playback client selects the session by clicking the mouse on an object representing that session (Col. 9, lines 64-66; compare to Claim 4, ***"... wherein the file-creation module includes a function for creating an executable icon for launching the automated browser-navigation sequence"***).

In regard to dependent Claim 15, Rust teaches a control window that allows the Presenter client to select the name of the archive filename (Col. 10, lines 65-67; Fig. 6; compare to Claim 15, "***... wherein in step (e) the software converting data from the recorded session into the executable instruction prompts a user to name the executable instruction and to name an icon created and associated with instruction"***).

5. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rust in view of Kishinsky and in further view of Tarditi (U.S. Patent No. 6,625,808).

In regard to dependent Claim 5, Rust fails to teach the executable sequence of instructions are XML instructions. However, Tarditi teaches executable instructions are intended to reflect any of a number of software languages known in the art such as, for example, C++, Visual Basic, HTML, Java, XML and the like (Col. 14, lines 60-64; compare to Claim 5, ***"... the executable sequence of instructions are XML instructions"***). One of ordinary skill in the art at the time of invention would have been motivated to combine the teachings of Rust, Kishinski and Tarditi providing the benefit of executable instructions in a language known in the art.

6. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rust in view of Kishinsky and in further view of Tarditi and in further view of Leak et al. (hereinafter Leak, U.S. Patent No. 6,182,072).

In regard to dependent Claim 6, Rust fails to teach the automated-navigation sequence enables automation of one or more of form-application, data-downloading, media-interaction, data-searching, and hyper-linking. However, Leak teaches the client system 1 initially receives a Web page (i.e., the top level Web page). The Web page may be received in response to the user of the client system 1 activating a hypertext link in another Web page, for example. In step 902, the client system 1 identifies URIs that are referred to by the received Web page. As noted above, the client system 1 is able to identify URIs based on the tags in an HTML document. In step 903, the client system 1 uses the identified URIs to request and receive each of the Web pages that are directly linked to the current Web page (i.e., the second level of Web pages). In step 904, the

client system 1 displays these additional Web pages in a sequence, displaying each Web page for a defined period of time (Col. 7, lines 32-46; compare to Claim 7, ***"... the automated-navigation sequence enables automation of one or more of form-application, data-downloading, media-interaction, data-searching, and hyper-linking"***). One of ordinary skill in the art at the time of invention would have been motivated to combine the teachings listed above because Leak's teaching provides an automated way of enabling hyper linking providing the benefit of being led on a web tour without having to have manually clicked on hyperlinks.

7. Claims 7-8 and 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rust in view of Kishinsky and in further view of Tarditi and in further view of Leak and in further view of Powderly et al (hereinafter Powderly, U.S. Patent No. 6,560,641).

In regard to dependent Claim 7, Rust fails to teach the application is implemented as a browser plug-in containing a user-configuration tool. However, Powderly teaches a remote client program that is comprised of a web browser in combination with one or more software modules (e.g., ActiveX control, plug-in, Java Applet, etc.) (Col. 14, lines 55-59; compare to Claim 7, ***"... the application is implemented as a browser plug-in containing a user-configuration tool"***). It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Rust, Kishinsky, Tarditi, Leak and Powderly providing the benefit of enabling the remote control of a host computer.

In regard to dependent Claim 8, Rust fail to teach the application is implemented as a standalone program containing a user-configuration tool. However, Powderly teaches a remote client program that can be implemented in the form of a stand-alone computer program or application that handles both the administration and configuration of the adapter card (Col. 14, lines 60-62; compare to Claim 8, ***"... the application is implemented as a standalone program containing a user-configuration tool"***). It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Rust, Kishinsky, Tarditi, Leak and Powderly providing the benefit of enabling the remote control of a host computer.

In regard to dependent Claim 10, Rust fails to teach the automated navigation-sequence includes an embedded request to one or more proxy services to be performed by a service provider operating on and accessible via the Internet network. However, Leak teaches a WebTV server that functions as a proxy for the client in providing the client with access to the web (Col. 6, lines 10-11; compare to Claim 10, ***"... the automated navigation-sequence includes an embedded request to one or more proxy services to be performed by a service provider operating on and accessible via the Internet network"***). It would have been obvious to one of ordinary skill in the art at the time of invention to assume that the automated navigation-sequence as claimed, would have had to have embedded requests to proxy servers in that case as one would have had to connect to a WebTV server, that was taught to be a proxy, as part of the sequence.

In regard to dependent Claim 11, Rust fails to teach the embedded request is automatically sent to the service provider during execution and performance of an automated navigation sequence. However, Leak teaches that WebTV (also a service provider) is a technology to allow people to access and navigate the web through their television sets (Col. 1, lines 37-41; compare to Claim 11, ***"... the embedded request is automatically sent to the service provider during execution and performance of an automated navigation sequence"***). It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Rust, Kishinsky, Tarditi, Powderly and Leak providing the benefit of automatically displaying a sequence of hypertext documents.

In regard to dependent Claim 12, Rust fails to teach the embedded request is received by virtue of an opened communication channel established between communicating navigation applications while the sending application is performing an automated navigation sequence. However, Leak teaches a continuous tour of web pages can be generated, if desired. New URIs can be continuously added to the list as Web pages are displayed and their corresponding URIs are marked as "visited" and/or deleted from the list (Col. 8, lines 51-54; compare to Claim 12, ***"... the embedded request is received by virtue of an opened communication channel established between communicating navigation applications while the sending application is performing an automated navigation sequence"***). One of ordinary skill in the art at the time of invention would have been motivated to assume that since an automated navigation sequence contained instructions that cause it to have communicated with

other servers, an open communication channel would have had to be open and established. An embedded request could have been issued at any point during the automated navigation sequence while the sequence would have been running such as taught by Leak where new URIs were added while the sequence was running. Therefore, one of ordinary skill in the art at the time of invention would have been motivated to combine the teachings of Rust, Kishinsky, Tarditi, Powderly, and Leak providing the benefit of continuously running web tours.

8. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rust in view of Leak et al. (hereinafter Leak, U.S. Patent No. 6,182,072).

In regard to dependent Claim 9, Rust fails to teach the automated navigation-sequence is created as a result of manual user programming as an alternative option to recording a manual sequence. However, Leak teaches that a web tour may be prepared manually, i.e. by a human being (such as WebTV network staff) (Col. 7, lines 45-46; compare to Claim 9, ***"... the automated navigation-sequence is created as a result of manual user programming as an alternative option to recording a manual sequence"***). It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Rust and Leak providing the benefit of generating a tour of World Wide Web pages.

9. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rust in view of Kishinsky and in further view of Leak and in further view of Weinberg et al. (hereinafter Weinberg, U.S. Patent No. 6,587,969).

In regard to dependent Claim 16, Rust fails to teach a step is added for prompting the user with a list of options to add proxy services to the executable instruction. However, Weinberg teaches a testing tool that automatically records a series of user steps taken during a user session with a transactional server and generates a test for testing the functionality of server. Through a user interface of the testing tool, the user can define verification steps to automatically test for expected server responses during test execution. The testing tool displays the test to the user as a tree having nodes (displayed as icons) which represent steps of the test. Via the user interface, the user can modify node properties and perform other types of tree edit operations to edit the test, without the need to know a scripting or other programming language (see Abstract). Compare to Claim 16, ***"... a step is added for prompting the user with a list of options to add proxy services to the executable instruction"***). One of ordinary skill in the art at the time of invention would have been motivated to use such a tool to add any number of services to a pre-defined set of executable instructions thereby providing the benefit of altering a predefined sequence of events.

10. Claims 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rust in view of Kishinsky and in further view of Leak and in further view of Weinberg and in further view of Dodrill et al. (hereinafter Dodrill, U.S. Patent No. 6,490,564).

In regard to dependent Claim 17, Rust fails to teach the executable instruction is an XML template. However, Dodrill teaches an XML document that is used to define a set of instructions that are then used to execute a voice messaging service (Col. 7, lines 8-11; compare to Claim 17, ***"... the executable instruction is an XML template"***). One of ordinary skill in the art at the time of invention would have been motivated to combine the teachings of Rust, Kishinsky, Leak and Dodrill providing the benefit of enabling voice applications to be easily defined and processed on an IP packet switched network.

In regard to dependent Claim 18, Rust fails to teach an executable instruction containing personal data. However, Dodrill teaches an application server (66) that also generates XML tags (106) and (108) that specify attributes for the user (Col. 10, lines 31-32; compare to Claim 18, ***"... the executable instruction contains data personal to the user"***). It would have been obvious to one of ordinary skill in the art at the time of invention to have been motivated to combine the teachings of Rust, Kishinsky, Leak and Dodrill providing the benefit of storing personal data.

In regard to dependent Claim 19, Rust fails to teach the personal data including one or a combination of user names, passwords, credit card numbers, user location information, and Social Security information. However, Dodrill teaches for example, the XML tag (106) identifies the user identifier as "user1", where the value "user1" specifies another XML document within the XML applications and functions portion (96) that stores specific subscriber profile information, for example user name, work telephone number, cellular telephone number, pager number, and call forwarding profile

information, etc. The XML tag (108) specifies a password state for the corresponding user; for example, the XSML tag (108) may specify the password to be entered by the user (Col. 10, lines 34-42; compare to Claim 19, ***"... the personal data includes one or a combination of user names, passwords, credit card numbers, user location information, and Social Security information"***). It would have been obvious to one of ordinary skill in the art at the time of invention to have been motivated to combine the teachings of Rust, Kishinsky, Leak and Dodrill providing the benefit of storing specific personal data.

11. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rust in view of Kishinsky and in further view of Leak and in further view of Dodrill and in further view of Weinberg and in further view of Caldwell et al. (hereinafter Caldwell, U.S. Patent No. 6,421,673).

In regard to dependent Claim 20, Rust fails to teach the personal data remains encrypted until use. However, Caldwell teaches a transmit servlet that encrypts the XML document with a public key associated with the gateway account (Col. 7, lines 35-37). Caldwell also teaches that the XML document remains encrypted until a receive servlet decrypts the XML document using private key data corresponding to the gateway account (Col. 7, lines 50-52; compare to Claim 20, ***"... the personal data remains encrypted until use"***). It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Rust, Kishinsky, Leak, Dodrill

and Caldwell providing the benefit of encrypting and decrypting using public and private key data.

12. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rust in view of Kishinsky and in further view of Leak and in further view of Dodrill and in further view of Weinberg and in further view of Jain et al. (hereinafter Jain, U.S. Patent No. 6,144,375).

In regard to dependent Claim 21, Rust fails to teach the personal data is stored in a secure location and accessed by virtue of a pointer to the information, the pointer embedded in the instruction file. However, Jain teaches an ASCII file containing a URL "pointer" to a binary event database file (Col. 31, lines 33-35). Jain also teaches an appropriate server prompts the user for password and username if required (Col. 31, lines 39-41). Compare to Claim 21, ***"... the personal data is stored in a secure location and accessed by virtue of a pointer to the information, the pointer embedded in the instruction file"***. One of ordinary skill in the art at the time of invention would have been motivated to combine the teachings of Rust, Kishinsky, Leak, Dodrill and Jain providing the benefit of secure access to data via a pointer protected by a username and password.

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Weinberg et al.	U.S. Patent No. 6,587,969	issued	07/2003
Qureshi et al.	U.S. Patent No. 6,084,582	issued	07/2000
Bretschneider et al.	U.S. Patent No. 6,008,807	issued	12/1999
Nielsen	U.S. Patent No. 6,510,461	issued	01/2003

"Webtour: A system to Record and Playback Dynamic Multimedia Annotations on Web Document Content," Sastry et al., ACM Multimedia, 1999.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James H Blackwell whose telephone number is 703-305-0940. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H Feild can be reached on 703-305-9792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

James H. Blackwell
12/11/03

JOSEPH H. FEILD
PRIMARY EXAMINER